

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

)

Plaintiff,

)

vs.

)

JOSEPH ARIAS,

)

)

Defendant.

8:05CR425

ORDER

This matter is before the court on defendant's MOTION FOR EXTENSION OF TIME TO FILE PRETRIAL MOTIONS [10]. For good cause shown, I find that the motion should be granted in part. The defendant will be given an approximate 30-day extension. Pretrial Motions shall be filed by March 23, 2006.

IT IS ORDERED:

1. Defendant's MOTION FOR EXTENSION OF TIME TO FILE PRETRIAL MOTIONS [10] is granted. Pretrial motions shall be filed on or before **March 23, 2006**.
2. Defendant is ordered to file a waiver of speedy trial as soon as practicable.
3. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., **the time between February 21, 2006 and March 23, 2006**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel required additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 22nd day of February, 2006.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge